

Lamprey WMPAAC Annual Report November 2005

Presented to His Excellency, Governor John H. Lynch

NH Senate President, Theodore L. Gatsas

Speaker of the NH House of Representatives, W. Douglas Scamman, Jr.

Commissioner of the Department of Environmental Services, Michael P. Nolin
and the State Library

November 1, 2005

by

Lamprey River Water Management Planning Area Advisory Committee

In compliance with Laws of 2002, Chapter 278, the Lamprey River Water Management Area Advisory Committee is pleased to submit this annual report of the committee's findings and activities for 2005. This law defines the two committees for each river under the pilot program to advise the Instream Flow process—the Technical Review Committee (TRC) and the Water Management Area Advisory Committee (WMPAAC). According to Chapter 278, "Each Water Management Planning Area Advisory Committee shall make an interim report regarding its progress and findings on or before November 1 of each year of their existence to the Senate President, the Speaker of the House of Representatives, the Governor, the Commissioner of the Department of Environmental Services, and the State Library."

NH Department of Environmental Services (NHDES) maintains a website for the Lamprey WMPAAC at <http://www.des.state.nh.us/rivers/instream/lamprey.asp?link=meetings&meet=wmpa>. The website contains the minutes, agendas, and copies of all presentations and documents distributed at the WMPAAC meetings.

The first meeting of the WMPAAC for the Lamprey River instream flow pilot program was held at the Raymond Fire Department January 21, 2005. The meeting was unofficial because the Governor and Council approval of the members' nominations had not been completed. Wayne Ives, Instream Flow Specialist, from the Watershed Management Bureau of NHDES presented information describing the Instream Flow Program, the committee's duties, and details of the Lamprey program to the prospective committee members. No election for chair or vice chair was held. Two prospective members volunteered to serve on the consultant selection committee – Kevin Webb, Durham Planning Board and Bob Levesque, Durham Public Works. The consultant's role in developing Lamprey protected flows and a water management plan was explained. Sections of the committee members' binders were reviewed including the lists of Affected Water Users and Affected Dam Owners, and the section containing the rules and statutes governing the process. The Lamprey process is the same process being used on the Souhegan River.

The Selection Committee is made up of two WMPAAC members, two TRC members and two NHDES members. This committee's task was to determine the most qualified consulting group with the best proposal for determining the protected flows and creating a water management plan for the Lamprey Designated River. The two WMPAAC members, Kevin Webb and Bob Levesque, joined Ron Rayner and Ralph Abele of the Lamprey Water Management Area Advisory Committee, and Wayne Ives and Paul Currier of NHDES to form the Selection Committee. The committee first met at NHDES on February 7, 2005. The committee evaluated Qualifications and & Experience

statements from seven consulting firms and shortlisted four firms to receive Requests for Proposals (RFP).

WMPAAC members were invited to attend the second TRC meeting on March 14, 2005 to hear a presentation by Ralph Abele (EPA) on the various methods available for determining protected flow levels. This information was presented to prepare the members for review of the proposals due March 10, 2005. On March 11, the proposals were made available for review to committee members by internet. The TRC and WMPAAC were invited to review the proposals and present their comments at a meeting of the Selection Committee at NHDES offices on March 21st. The comments were incorporated in the Selection Committee's review of proposals and interview of the contractors. The Selection Committee reviewed the consultants' proposals and then met March 28, 2005 to interview the consultants. The team made up of Normandeau Associates, Inc. (NAI), University of NH, and University of Massachusetts was selected unanimously by the Committee. The team is lead by NAI.

The WMPAAC's second meeting (first official meeting) was held June 13, 2005 at the Durham Police Department. The duties of the chair and vice chair were discussed and nominations taken for the chair. The committee decided to keep nominations open and hold the election by email. Wayne Ives, Instream Flow Specialist (NHDES), presented the definitions and examples of protected entities in the Department's Preliminary IPUOCR List (October 7, 2004). IPUOCRs are the protected entities described in RSA 483 as Instream Protected Uses, Outstanding Characteristics, and Resources. Flow-dependent IPUOCRs are identified to establish the assessments that are needed to identify protected flows.

Elections for chair and vice chair were held by email vote. Tom Fargo was elected chair. The remaining slate was retained for the vice chair election which was also held by email vote. Brian Giles was elected as vice chair.

The WMPAAC held its next meeting October 7, 2005, again at the Raymond Fire Department. The newly elected chair and vice chair were presented to the committee. Wayne Ives described the twelve tasks of the Protected Instream Flow (PISF) Study and Water Management Plan (WMP) being conducted by NAI for the Department. Task 1 and Task 3 are to create a draft IPUOCR list and to conduct an on-stream survey to map their locations. NAI submitted a draft IPUOCR report for Department review September 23, 2005. The draft IPUOCR list was sent via email September 30 to the WMPAAC and TRC committee members for review. TRC members were also invited to attend the October 7 meeting to review the draft IPUOCR document. (Paper copies were sent to committee members without email.) An Instream Flow Notification group also received the report via email. NAI presented the draft IPUOCR list to the committee. The report listed the protected entities and divided them into flow-dependent and non-flow-dependent groups. The flow-dependent entities will be assessed for their flow needs. The IPUOCR report was made final on October 27, 2005. NAI is completing the next report draft describing the methods to be used to assessment protected flows for the flow-dependent IPUOCRs (Task 4).

UNH has a Lamprey Instream Flow Project website at <http://www.unh.edu/erg/lamprey/>.

Committee Changes

Richard Wellington resigned from the Lamprey WMPAAC following the first meeting citing the requirement to submit a financial disclosure report. Michael King resigned October 25, 2005 citing lack of time. Neither has been replaced to date.

**LAMPREY RIVER WATER MANGEMENT PLANNING AREA ADVISORY
COMMITTEE (WMPAAC)**

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